

THE TRIBAL NATIONS EXCHANGE

INFORMATION SHARING ON

U.S. ARMY CORPS OF ENGINEERS

ACTIVITIES IN INDIAN COUNTRY

Senate Hearings on Tribal Trust Issues

On February 26, 2002, senior officials from the Department of the Interior, tribal representatives, and attorneys appeared before the Senate Indian Affairs Committee to express their views on a number of trust issues.

Associate Deputy Secretary Jim Cason told the Committee that the proposed Bureau of Indian Trust Assets Management (BITAM) is still just a concept and the Department lacks an implementation plan. Cason and Assistant Secretary Neal McCaleb noted that BITAM is only one possible solution and other alternatives are still being considered.

Several panels of tribal representatives, including Tex Hall, NCAI President, and Clifford Marshall, Chairman of the Hoopa Valley Tribe of California, were highly critical of BITAM. Attorneys who have brought suit against Interior on behalf of tribes and individuals asserted that the government lacks the expertise needed to manage the assets of the hundreds of tribes and 300,000 American Indians.

Senator Ben Nighthorse Campbell (R-Colorado) noted his frustration with the administration's repeated requests for more funds. Campbell said "we could have set the money out in the middle of the street and set it on fire." Committee Chairman Daniel Inouye (D-Hawaii), diplomatically asked the Department and tribal leaders to continue to find ways to work together.

Transcripts of witness testimony can be found on the Committee's website or www.indianz.com.

Source material and information provided by Indianz.com.

DoD Returns to the ACHP

The President has signed an order returning the Secretary of Defense to the membership of the Advisory Council on Historic Preservation. DoD succeeds the Department of Housing and Urban Development. The DoD representative to the Council is Mr. Phillip Grone, Principal Assistant Deputy Under Secretary of Defense (Installations and Environment).

DoD membership comes at an important time in the function of the Council. The new Chairman, Mr. John Nau, has expressed an interest in reorganizing the Council staff along the lines of some new initiatives such as heritage tourism. Council membership should allow DoD to play a more active role in policy and business practices developments as well as offering improved communications with the professional staff.

BOOK NOTE

The Earth Shall Weep

The subtitle of this non-fiction work by James Wilson is, "A History of Native America", and the author documents the roughly 500 year experience of tribes from the first days of European contact to the present.

Wilson combines a chronological approach with a substantive dialog to address some of the most persistent and pernicious myths about Native Americans and their lifeways. A prime example of his compelling narrative style occurs near the beginning of the book and involves an extended treatment of Native American populations immediately before and after the initial European contacts. Estimates concerning the contact populations, have, until recently, focused on a number barely more than one million inhabitants. Wilson writes that the "vision of pre-contact America - - the vision of a timeless, passive 'virgin' land on which a tiny native population had barely made an impact - - has haunted and tantalized us for centuries. . ." The author notes that despite the statistical near-certainty that many millions of Indians were on this continent just prior to European contact, the notion of much smaller populations suited the European culture. After all, it was far easier to assert manifest destiny and take pride in Euro-American accomplishments if they were able to push aside indigenous peoples who were already largely invisible on the landscape.

Wilson's presentation is well researched and draws on archeology, ethnography and oral tradition. His respect for the subject matter is evident throughout the book, but nowhere more clear than in his closing: "Native Americans have not died out 'like snow before the sun', nor have they 'vanished' into the melting pot of civilization. Their experience over the last five centuries has been a story of almost unimaginable pain and suffering, but also of extraordinary transformation and rebirth."

Council on Environmental Quality Issues **Memorandum on Cooperating Agencies in the** **NEPA Process**

On 30 January 2002, Mr. James Connaughton, Chair of the Council on Environmental Quality (CEQ), issued a Memorandum for the Heads of Federal agencies on the subject of "Cooperating Agencies in

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Implementing the Procedural Requirements of the National Environmental Policy Act.”

The purpose of the Memorandum “is to ensure that all Federal agencies are actively considering designation of Federal and non-federal cooperating agencies in the preparation of analyses and documentation required by the National Environmental Policy Act (NEPA) . . .” The CEQ Chair notes that despite guidance encouraging cooperation, some Federal agencies “remain reluctant” to engage other entities as Cooperating Agencies.

Mr. Connaughton stipulates that granting Cooperating Agency (CA) status neither enlarges or diminishes the decisionmaking authority of an agency engaged in the NEPA process. He asserts that it is incumbent on agency officials to identify Federal, State Tribal and local government agencies that have jurisdiction and expertise with respect to all reasonable alternatives or significant environmental, social or economic impacts associated with a proposed action that requires NEPA analysis.

The full text of the CEQ message follows.



Cooperating
Agencies Distribution

Team Profile

This month, Team Profile looks at Roberta Hayworth, Cultural Anthropologist with the St. Louis District.

Ms. Roberta L. Hayworth is a native of Kansas and a member of the Citizen Band Potawatomi Tribe of Oklahoma. Roberta is a cultural anthropologist at the St. Louis District. Roberta’s academic and professional background includes working for several tribes, working for a Native American museum in Kansas, and consulting with several tribes concerning the Native American Graves Protection and Repatriation Act (NAGPRA). Roberta received her M.A. in anthropology from Wichita State University, Wichita, Kansas. Her thesis title was *Repatriation: To Rebury to Not to Rebury, That is the Question: A Case Study Involving the Ponca Tribe of Nebraska*. Roberta has worked for the U.S. Army Corps of Engineers, St. Louis District’s Mandatory Center of Expertise for the Curation and Management of Archaeological Collections for the past six years where she serves as the Native American Coordinator for the St. Louis District.

Roberta has assisted in developing Native American Programs at several Army installations including Fort Huachuca, Redstone Arsenal, Yuma Proving Grounds, Aberdeen Proving Grounds, and Fort Carson. This

year she will be assisting the Marine Corps at Parris Island Recruiting Depot and the Marine Corps Air Station at Beaufort, South Carolina. In addition she will continue to assist the Charleston, Galveston, Huntington, and Kansas City Districts on consultation issues. Roberta is also responsible for all of the consultation work for the St. Louis District, which includes 28 separate tribes. Roberta has worked with tribes in the Southwest, Southeast, East Coast, a few tribes in the Northwest, and most of the Plains tribes.

Roberta has worked with other staff members at St. Louis in developing a workshop on Native American Cultural Awareness. This workshop will be given for the first time at Galveston District and will be attended by the commander, his staff, project managers, and other members of the district staff. This workshop is being conducted before Galveston District’s first consultation meeting on a sensitive and political issue. Roberta has given a commander’s briefing on tribal protocols at all installations and districts she has assisted.

Roberta has been instrumental in drafting guidelines on consultation with tribes and a district-specific Memorandum of Understanding (MOU) regarding Inadvertent Discovery and Intentional Excavation of Archaeological Material. She has also drafted an MOU for reburial on Corps property, which is now being reviewed by tribes that consult with the St. Louis District. One of Roberta’s primary duties is to coordinate all Native American consultation issues and meetings for the St. Louis District.

As a member of a federally recognized tribe, it is a learning experience to work for the federal government. I have been extremely fortunate to have been able to work for tribal governments before coming to work for the federal government, as it has given me the advantage of understanding how both sides of an issue are viewed. I look forward to helping the Corps of Engineers build stronger and long-lasting relationships and partnerships with tribal governments.